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IAB FO2295436

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 911-16903-1399-184	Date: 8/25/11	Time: 2045	
Location: [redacted] Corrigan Ave.		City or Station: Downey	
Bureau/Station/Facility: Lakewood Station		Admin. Investigation: YES ☐ NO ☒	
Type of Force: Significant use of force resulting in broken ribs			
Deputy Injury: YES ☒ NO ☐	Suspect Injury YES ☒ NO ☐		
☐ Call	☒ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Ault	Emp: [redacted]	IAB Roll Out: YES ☒ NO ☐

Involved Employee

E 1

Employee #: [redacted]	Last Name: Wendland	First Name: Neil	Middle Name: J.
Sex: ☒ Male ☐ Female	Race: W	Unit of Assignment: LKD	Work Assignment (Unit #, Module, etc.): 133E
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 5' 10" Weight: 190
☒ Injured ☒ Treated ☐ Admitted	Hospital:	Coroner Case #:	Directed Force ☐ Significant Force ☒

E 2

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle Name: [redacted]
Sex: ☒ Male ☐ Female	Race: W	Unit of Assignment: LKD	Work Assignment (Unit #, Module, etc.): 133E
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 6' 4" Weight: 240
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #:	Directed Force ☐ Significant Force ☒

E_

Employee #:	Last Name:	First Name:	Middle Name:
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height: Weight:
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #:	Directed Force ☐ Significant Force ☐

☐ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Moses	Steven	J.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Melikidse	Michael	G.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Nicassio	Joseph	E.

Watch Commander (**Print Name**): Patrick Kim
Watch Commander's **Signature**: [redacted]
Emp #:
Date

Supervisor Completing Form: (**Print Name**): Merrill E. Ladenheim
Emp #:
Copy Provided to Employee by:
Emp #:

Unit Commander (**Print Name**)
Unit Commander's **Signature**:
Emp #:
Date

DISCOVERY Use Only
FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
SUSPECT INFORMATION
9 1 1 - 1 6 9 0 3 - 1 3 9 9 - 1 8 4

Suspect Information

S 1

Last Name: Fagras | First Name: Ricky | Middle Name: George

AKA Last Name: | First Name: | Middle Name:

Sex: [X] Male [ ] Female | Race: W | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: | Home Phone: | Age: 51 | Height: 5' 9" | D.O.B. 06/29/60 | Weight: 175 | Armed? [ ]

Booking #: 2855881 | Primary Charge Code: 11378 HS | Secondary Charge Code: 69 PC | Criminal History [redacted]

EMT in attendance? [X] YES [ ] NO Name: Downey Fire Dept. Unit: Phone #:

Hospital Admission? [X] Rec'd Treatment At: Lakewood Regional Hospital Coroner Case #: Mental History [X]

By Doctor: Address: Phone #:

Under Influence: [X] YES [ ] NO Substance: Alcohol Mental Illness [ ]

Suspect Interview

Date: 08/26/11 | Time: | [X] Audiotape: [ ] Videotape: [X] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: Unit: Phone #:

Hospital Admission? [ ] Rec'd Treatment At: Coroner Case #: Mental History [ ]

By Doctor: Address: Phone #:

Under Influence: [ ] YES [ ] NO Substance: Mental Illness: [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: Unit: Phone #:

Hospital Admission? [ ] Rec'd Treatment At: Coroner Case #: Mental History [ ]

By Doctor: Address: Phone #:

Under Influence: [ ] YES [ ] NO Substance: Mental Illness [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
9 1 1 - 1 6 9 0 3 - 1 3 9 9 - 1 8 4

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]	Middle Name		Age	D.O.B. [redacted]
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph. [redacted]	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	

☐ Additional Witness

Supervisor's Report on Use of Force

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
FAGRAS	S1	[redacted]	E2	UC	NN	
FAGRAS	S1	WENDLAND	E1	UC	NN	
WENDLAND	E1	FAGRAS	S1	TD	FR	AD
WENDLAND	E1	FAGRAS	S1	PH	NN	BK
FAGRAS	S1	WENDLAND	E1	RS	NN	
FAGRAS	S1	[redacted]	E2	RS	NN	
WENDLAND	E1	FAGRAS	S1	RH	NN	
[redacted]	E2	FAGRAS	S1	RH	NN	

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

SIGNIFICANT USE OF FORCE

- **Personal weapon (punch)**
- **Takedown resulting in a fractured rib**
- **Resisted handcuffing**

UNIT:	**LAKEWOOD STATION**
DATE / TIME OF INCIDENT:	**AUGUST 25, 2011 (THURSDAY) / 2040 HOURS**
LOCATION:	**ANGELL ST./CORRIGAN AVE., DOWNEY**
URN:	**911-16903-1399-184**
IAB #:	**FO2295436**

SYNOPSIS

On August 25, 2011, at approximately 2040 hours, Deputies Wendland, Employee #[redacted] and [redacted] Employee #[redacted] were patrolling on Foster Road near Corrigan Avenue when they observed a vehicle exceeding the speed limit in the opposite direction. They made a U-turn and attempted to stop the vehicle; however, they lost the vehicle in the area of Angell Street and Corrigan Avenue.

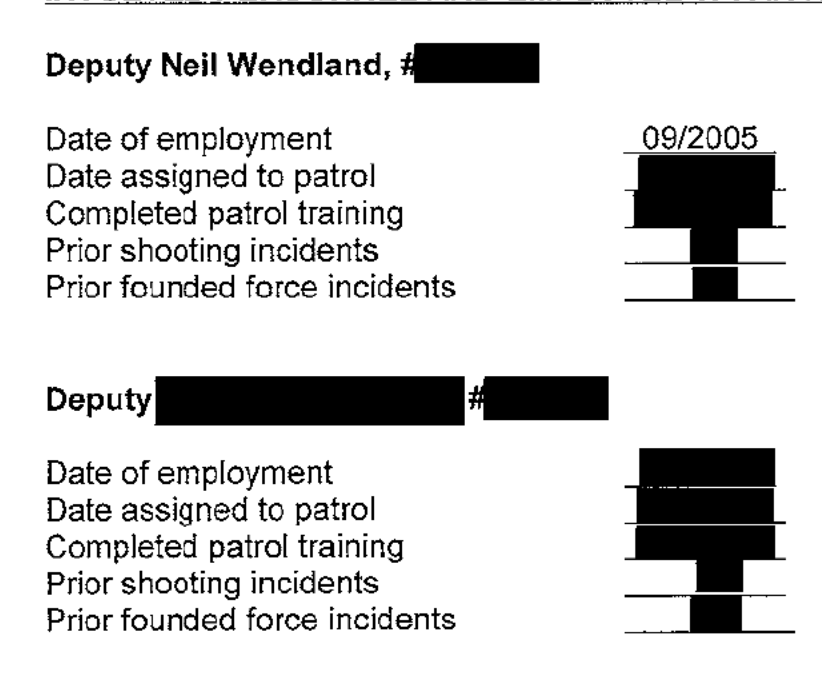
While returning to Foster Road, they saw Suspect Fagras riding a bicycle toward them on the sidewalk without a headlamp in the darkness. They pulled alongside him and told him to stop. Suspect Fagras refused to comply and continued riding away from them. The Deputies made a U-turn, drove alongside Suspect Fagras and told him again to stop. Suspect Fagras replied, "Fuck you" and reached into his pocket as he rode away while cursing at the Deputies as they repeatedly ordered him to stop. Suspect Fagras rode the bicycle with a makeshift trailer attached to it onto the side lawn at [redacted] Corrigan Street.

When Deputy Wendland exited the patrol car and ordered Suspect Fagras to stop, Suspect Fagras attempted to evade Deputy Wendland by making a U-turn. Deputy Wendland then grabbed the makeshift trailer to slow him down. As Suspect Fagras continued to pedal, Deputy Wendland grabbed Suspect Fagras by the upper torso and took him down onto the grass.

While on the ground, Suspect Fagras resisted attempts by Deputy Wendland to handcuff him, by failing and refusing to follow commands to stop resisting. By this time, Deputy [redacted] had exited the patrol car and approached to assist Deputy Wendland, who was actively struggling with Suspect Fagras. Suspect Fagras had moved his hands and arms under his body. Deputy Wendland punched Suspect Fagras once on the shoulder area. Both Deputies pulled Suspect Fagras' arms from under his body and handcuffed him without further incident. Deputies recovered a cigarette package from Suspect Fagras' pants pockets that contained individually wrapped packages containing an off-white, crystal-like substance resembling methamphetamine.

Suspect Fagras complained of pain to his ribs and was treated at the scene by Downey Fire Department personnel. He was transported to Lakewood Regional Medical Center where he was diagnosed with a fractured rib and subsequently medically cleared to be booked at Lakewood Sheriff's Station.

INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY



Deputy Neil Wendland, #[redacted]

Date of employment	09/2005
Date assigned to patrol	[redacted]
Completed patrol training	[redacted]
Prior shooting incidents	[redacted]
Prior founded force incidents	[redacted]

Deputy [redacted] #[redacted]

Date of employment	[redacted]
Date assigned to patrol	[redacted]
Completed patrol training	[redacted]
Prior shooting incidents	[redacted]
Prior founded force incidents	[redacted]

SUSPECT INFORMATION

Ricky George Fagras

Male, White, Age 51, DOB: 06-29-1960, Booking #2855881, 5' 9", 175 lbs

CII #[redacted], MAIN #[redacted], FBI #[redacted]

Suspect Fagras' criminal history [redacted] Refer to Suspect Fagras' Consolidated Criminal History Report in the Miscellaneous Documents section for detailed information.

Suspect Fagras was on active parole for 11377 (A) HS at the time of the incident. He was additionally charged with 3056 PC.

WITNESSES

Ms. [redacted]

INJURIES

Suspect Fagras received treatment at Lakewood Regional Medical Center where x-ray results revealed a fracture to his ninth rib. Refer to Suspect Fagras' medical assessment **[EXHIBIT A]** for more detailed information.

Deputy Wendland sustained a minor abrasion to his right shin area as a result of this incident.

PHYSICAL EVIDENCE

Surveillance cameras were mounted around the property of [redacted] IAB investigators conducted a door knock on August 26, 2011 in an attempt to contact the property owner, Mr. [redacted] No one was at the residence, at which time IAB investigators left a business card and a voice message on Mr. [redacted] answering service to contact them. Mr. [redacted] called back and said the cameras recorded only a few seconds showing a Deputy running across the lawn. When IAB investigators attempted to contact

him again to either allow them to view the footage or to obtain a copy, Mr. [redacted] did not return their phone calls. There was no other physical evidence.

INVESTIGATOR'S OBSERVATIONS

The scene of the incident is located in a housing tract of single family homes adjacent to the eastbound lanes of the 105 freeway **[EXHIBIT B]**.

The scene was not preserved at the time IAB investigators responded to the incident. There were no investigator's observations.

WEAPONS USED BY DEPUTY PERSONNEL

None.

WEAPONS USED BY SUSPECT

None

PROPERTY DAMAGE

None

CRIMINAL CHARGES FILED

Charges filed: Felony possession of a controlled substance 11377(a) HS.

The case is scheduled for a jury trial on November 23, 2011 at Norwalk Superior Court under case #VA121457.

The following narratives are intended only as synopses of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews [EXHIBIT C] and verbatim transcriptions.

INVOLVED DEPUTY STATEMENTS

Deputy Neil Wendland

Deputy Wendland told IAB investigators he was the passenger and Deputy [redacted] was driving when they were in the area of Corrigan Avenue and Angell Street. They were trying to locate a vehicle they saw speeding along Foster Road and had turned on Corrigan Avenue. They were traveling westbound Angell Street when they saw Suspect Fagras riding a bicycle on the sidewalk without a headlamp, heading in the opposite direction. They pulled their patrol vehicle alongside Suspect Fagras as Deputy [redacted] ordered him to stop. Suspect Fagras continued pedaling, at which time they made a U-turn and paralleled him as he traveled eastbound Angell Street. Deputy Wendland said Suspect Fagras looked at him and said, "Fuck you" as he reached into his right front pants pocket and continued to pedal onto a lawn. Deputy Wendland said Suspect Fagras continued to ignore him after he identified himself as a Deputy Sheriff numerous times from inside the patrol car. Deputy Wendland said he exited the patrol car and grabbed the trailer attached to Suspect Fagras' bicycle as he continued to move forward.

Deputy Wendland said he grabbed Suspect Fagras in a bear hug and took him down onto the ground. Deputy Wendland said he believed Suspect Fagras impacted a cinder block wall as he went down. Deputy Wendland said he pushed Suspect Fagras down to the ground when he attempted to get up. Suspect Fagras began flailing his arms and ignoring verbal commands to stop resisting. Deputy Wendland said he flipped Suspect Fagras onto his stomach, at which time Suspect Fagras tucked his hands under his chest. Deputy Wendland said he punched Suspect Fagras once in the back, which allowed him and Deputy [redacted] to gain control of Suspect Fagras' arms and handcuff him without further incident. Deputy Wendland submitted a report regarding this incident **[EXHIBIT D]**.

Deputy [redacted]

Deputy [redacted] told IAB investigators he and Deputy Wendland were traveling westbound on Angell Street in their black and white patrol vehicle when they saw Suspect Fagras riding a bicycle in the opposite direction without a headlight. Suspect Fagras refused to comply with his instruction to stop and continued pedaling. Deputy [redacted] made a U-turn, pulled alongside Suspect Fagras, at which time Deputy Wendland, the passenger, identified themselves as the Sheriff's Department and instructed Suspect Fagras to stop.

Suspect Fagras replied, "Fuck you" and rode onto the front lawn of [redacted] Corrigan Avenue. He positioned his bicycle as if he was making a U-turn and then attempt to double back onto Angell Street. Suspect Fagras' speed was impeded by the thick grass he was traveling on and the fact he was pulling a makeshift trailer attached to his bicycle. At this point, Deputy Wendland exited the vehicle.

Deputy [redacted] said he believed Suspect Fagras could possibly get away from Deputy Wendland, so be backed the patrol car approximately 15 to 20 feet to go back to Angell Street in anticipation for a possible foot pursuit. As he completed this maneuver, Deputy Wendland had already been involved in an altercation with Suspect Fagras on the front yard of [redacted] Corrigan Avenue. He exited the patrol car and approached Suspect Fagras, who was on his back and wrestling with Deputy Wendland as he was trying to grab his arms and instructing him to stop fighting and give up his arms.

Suspect Fagras turned onto his stomach and tucked his arms under his chest, preventing Deputy Wendland from gaining control of them. As he got to Deputy Wendland, who was attempting to grab Suspect Fagras' right arm, Deputy [redacted] said he pulled out Suspect Fagras' left arm from underneath him and placed it behind Suspect Fagras' back.

Deputy [redacted] said he placed one handcuff on Suspect Fagras' left arm as Deputy Wendland struggled to get out his right arm out from under his body, at which time they were then able to handcuff him without any further incident. Deputy [redacted] submitted a report regarding this incident **[EXHIBIT E]**.

WITNESS STATEMENTS

Witness [redacted]

Ms. [redacted] told IAB investigators she was driving eastbound Angell Street approaching southbound Corrigan Avenue. She saw a person either hiding or trying to get his bike on her neighbor's front lawn at [redacted] Corrigan Avenue. She drove past a police car driving slowly in the same direction and eventually pulled into her driveway at [redacted] The police car stopped suddenly, at which time a Deputy ran out and tackled the person to the grass. The person was screaming as he was on the ground.

Another Deputy got out of the police car and helped the other Deputy with handcuffing the person and trying to calm the person down. It appeared to her that the person was either on drugs or was drunk because he kept screaming loudly. She heard the Deputies telling him to calm down as they were finally able to handcuff him without further incident. Ms. [redacted] said she was approximately ten feet from the incident and saw it in its entirety. Neither Deputy kicked at the person nor struck him with flashlights as Suspect Fagras had

alleged in his interview.

SUSPECT INTERVIEW

Ricky Fagras

Suspect Fagras told IAB investigators he was riding his bike when he saw a Deputy in a patrol car driving in the opposite direction. He heard the Deputy say something, at which time he made a U-turn on the corner lawn. Suspect Fagras said he knew he the car driving along side him was police car, and he denied saying, "Fuck you" to the Deputies. The patrol car backed up and a Deputy jumped out and told him to stop and get off the bike. Suspect Fagras said as he tried to make a U-turn on the grass, he got off the bike, tripped and hit the left side of his head against the wall. Suspect Fagras said the Deputy then started "bashing his head with his light" three to four times to the back of his head.

Suspect Fagras said the Deputy then started jumping on his back and hit him at least three times in the back of the neck. He heard the Deputy say not to resist, at which time Suspect Fagras said he laid flat on the ground. The Deputy handcuffed his right hand and then kicked him in the ribs three to four times as he was faced down in the grass.